



## United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Green River District Office  
Vernal Field Office  
170 South 500 East  
Vernal, UT 84078  
<http://www.blm.gov/ut/st/en/fo/vernal.html>



IN REPLY REFER TO:  
3160  
LLUTG01100

May 18, 2012

Board of Oil, Gas and Mining  
P.O. Box 145801  
Salt Lake City, UT 84114-5801

**FILED**

MAY 18 2012

SECRETARY, BOARD OF  
OIL, GAS & MINING

Re: Docket 2012-020; Cause No. 139-92

Gentlemen:

The Bureau of Land Management (BLM), acting in its Trust capacity on behalf of the Ute Indian Tribe, is aware that the referenced Docket matter is scheduled to be heard by the Board of Oil, Gas, and Mining (Board) on May 23, 2012. Notice on this matter was given to the BLM timely. The proposal would affect Indian trust minerals held for the benefit of the Ute Indian Tribe. In matters such as this affecting Indian trust mineral estate, by Federal regulation the BLM must concur with or accept the proposal before it is effective.

Berry Petroleum Company did provide their technical information to our office associated with the request. Staff in the BLM Vernal Field Office has reviewed the information provided and the office also coordinated the proposal with the Bureau of Indian Affairs and Ute Indian Tribe. Consequently, we are in a position where we can inform the Board that the BLM supports Berry Petroleum Company's ("Petitioners") request for Agency Action in the above referenced matter.

Should there be any questions regarding this letter, please contact me at (435) 781-4440.

Respectfully submitted this 18<sup>th</sup> day of May 2012.

Sincerely,

*// Jerry Kenczka*

Jerry Kenczka  
Assistant Field Manager for Lands and Minerals

cc: A. John Davis  
Mark L. Burghardt  
Attorneys for Berry Petroleum Company  
222 South Main Street, Suite 2200  
Salt Lake City, UT 84101  
[bjwallin@hollandhart.com](mailto:bjwallin@hollandhart.com)